

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KEVIN D. MILLER
431 Ridgemoor Drive #4
Fort Wayne, Indiana 46825

v.

TRANS UNION, LLC
555 W. Adams Street
Chicago, Illinois 60661

EXPERIAN INFORMATION
SYSTEMS, INC.
Serve: CT Corporation, Registered Agent
208 S. LaSalle Street #814
Chicago, Illinois 60604

SUPPORTKIDS, INC.
d/b/a CSE Child Support Enforcement Co.
4120 Friedrich Lane #175
Austin, Texas 78744

Case No. 06 CV 2883

Judge Grady
Magistrate Judge Cole

**MOTION FOR LEAVE TO DISCLOSE TERMS
OF CONFIDENTIAL SETTLEMENT AGREEMENTS**

Defendant, SupportKids, Inc. (“Supportkids”), by and through its attorneys, Paul A. Greco, Riccardo A. DiMonte and Julia Jensen Smolka, for its motion to disclose the terms of the confidential settlement agreements among certain parties to this litigation, and in support thereof, respectfully states as follows:

1. Plaintiff, Kevin D. Miller (“Miller”), filed his Complaint on May 24, 2006 alleging, amongst other claims, that Supportkids violated the Fair Credit Reporting Act (“FCRA”), 15 USC § 1681 *et seq.*, by requesting and receiving from defendants, Trans Union, LLC and Experian Information Systems, Inc., his consumer report. Supportkids has answered the Complaint asserting affirmative defenses which include the unconditional right to access an individual’s consumer report when it acts with a “permissible purpose” as defined in the FCRA.

2. Miller's Complaint discusses two "confidential settlement agreements" entered into between Miller and Supportkids in separate actions initiated by Miller and filed in calendar years 2000 and 2003. As detailed in the Complaint, each case was dismissed pursuant to settlement agreements which provided that neither party would disclose the terms and conditions of the agreements except for in certain enumerated instances including pursuant to court order.

3. Supportkids seeks an order permitting it to disclose the terms of the settlement agreements detailed in ¶s 7 and 8 of the Complaint. The terms of the settlement agreement in connection with the *qui tam* (whistle blower) action may be particularly relevant to the claims sent forth herein by Miller and Supportkids believes that the court should be aware of the terms of this settlement agreement when considering Miller's current motion for partial summary judgment.

WHEREFORE, Defendant, Supportkids, Inc., respectfully requests the entry of an order which permits, for purposes of this litigation, the disclosure of the terms of each of the confidential settlement agreements entered into by it and Plaintiff and for whatever further and different relief this Court deems equitable and just.

/s/ Riccardo A. DiMonte

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